

**AMENDMENTS TO THE CLAIMS**

The listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims**

1. (Currently Amended) A data communication terminal which sends data to a server, comprising:

a designating part of designating an original file having an original file name and data contents;

a filename giving part for generating a new file obtained by copying said data contents of said original file and giving a new file name which is different from said original file name; and

a sending part for sending said new file with the new file name to said server,

wherein the new file name has a characteristic part indicating that said new file is subjected to file-sending.

2. (Original) The data communication terminal according to claim 1,

wherein the new file name has a common part common to said original file name.

3. (Original) The data communication terminal according to claim 1, wherein said characteristic part has a number part updated for each file-sending operation.

4. (Original) The data communication terminal according to claim 3, wherein said number part has a number increasing in response to file-transmission history.

5. (Original) The data communication terminal according to claim 4, wherein a plurality of original files are allowed to be designated for a single file-sending operation, and

said characteristic part is common among respective new file names generated for a plurality of new files corresponding to said plurality of original files.

6. (Original) The data communication terminal according to claim 1,  
wherein said data communication terminal is a camera.

7. (Original) The data communication terminal according to claim 6,  
wherein said original file is a photographed image file, and  
said original file name is given in accordance with a predetermined rule at the time of image photographing.

8. (Withdrawn) A data communication terminal which sends data to a server,  
comprising:

a command issuing part for issuing a command to create a new folder in said server for each file-sending operation before sending a data file to said server; and

a sending part for sending said data file into said new folder created in said server in accordance with said command.

9. (Withdrawn) The data communication terminal according to claim 8,  
wherein a file name of said new folder has a number increasing in response to a counting  
a number of file-sending operation from said data communication terminal.

10. (Withdrawn) A camera capable of sending data to a server, comprising:  
a designating part for designating a data file;  
an acquiring part for acquiring a file list representative of files stored in a predetermined  
folder of said server;  
a determination part for determining, with respect to file of file names having a  
predetermined identifier among files included in said file list, whether or not a preceding file  
having the same name as that of said data file exists; and  
a warning part for giving a warning when said preceding file is found in said file list.

11. (Withdrawn) The camera according to claim 10, further comprising:  
a receiver for receiving an instruction from an operator as to whether the operator  
approve overwriting when said preceding file is found; and  
a sending part for sending said data file to the server when the instruction that  
overwriting is approved is received by said receiving section.

12. (Withdrawn) The camera according to claim 10, further comprising:  
a display for displaying information representative of files having a predetermined  
identification mark in respective file names among files included in said file list.

13. (Withdrawn) A camera capable of sending data to a server, comprising:

- a designating part for designating a data file;
- an acquiring part for acquiring a file list representative of files stored in a predetermined folder of said server;
- a determination part for determining, with respect to files of file names having a predetermined identifier among files included in said file list, whether or not a preceding file having the same name as that of said data file exists; and
- a sending part for sending said data file to the server after renaming said data file when said preceding file is found in said file list.

14. (Original) A computer program capable of being installed in a microcomputer included in a communication terminal, wherein execution of said computer program by said microcomputer generates a software control structure in said communication terminal for sending data to a server through a network, said control structure comprising:

- a designating part for designating an original file having an original file name and data contents;

- a file name giving part for generating a new file obtained by copying said data contents of said original file and giving a new file name which is different from said original file name; and

- a sending part for sending said new file with the new file name to said server,

wherein the new file name has a characteristic part indicating that said new file is subjected to file-sending.

15. (Withdrawn) A computer program capable of being installed in a microcomputer included in a communication terminal, wherein execution of said computer program by said microcomputer generates a software control structure in said communication terminal for sending data to a server through a network, said control structure comprising:

a command issuing part for issuing a command to create a new folder in said server for each file-sending operation before sending a data file to said server; and

a sending part for sending said data file into said new folder created in said server in accordance with said command.

16. (Withdrawn) A computer program capable of being installed in a microcomputer included in a camera, wherein execution of said computer program by said microcomputer generates a software control structure in said camera for sending data to a server through a network, said control structure comprising:

a designating part for designating a data file;

an acquiring part for acquiring a file list representative of files stored in a predetermined folder of said server;

a determination part for determining, with respect to files of file names having a predetermined identifier among files included in said file list, whether or not a preceding file having the same name as that of said data file exists; and

a warning part for giving a warning when said preceding file is found in said file list.

17. (Withdrawn) A computer program capable of being installed in a microcomputer included in a camera, wherein execution of said computer program by said microcomputer

generates a software control structure in said camera for sending data to a server through a network, said control structure comprising:

a designating part for designating a data file;

an acquiring part for acquiring a file list representative of files stored in a predetermined folder of said server;

a determination part for determining, with respect to files of file names having a predetermined identifier among files included in said file list, whether or not a preceding file having the same name as that of said data file exists; and

a sending part for sending said data file to the server after renaming said data file when said preceding file is found in said file list.

18. (Previously Presented) A camera capable of sending data to a server, comprising:

a designating part for designating an original file having an original file name and data contents;

a file name giving part for generating a new file obtained by copying said data contents of said original file and giving a new file name which is different from said original file name; and

a sending part for sending said new file with the new file name to said server,

wherein the new file name has a characteristic part indicating that said new file is subjected to file-sending.

19. (Previously Presented) The camera according to claim 18,

wherein the new file name has a common part common to said original file name.

20. (Previously Presented) The camera according to claim 18,  
wherein said original file is a photographed image file, and  
said original file name is given in accordance with a predetermined rule at the time of  
image photographing.

21. (Withdrawn) The camera according to claim 18, further comprising:  
an acquiring part for acquiring a file list representative of files stored in a predetermined  
folder of said server;

a determination part for determining, with respect to file names having a predetermined  
identifier among files included in said file list, whether or not a preceding file having the same  
file name as that of the new file exists,

wherein said file name giving part gives the new file name which is different from said  
original file name when said determination part determines that the preceding file has the same  
file name as that of the new file.